

N:\Legal\Upton_Cohen_Slam\Sunderlin v. UCS\Stip.V.J_091205.wpd

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----X
GAYLE LEE SUNDERLIN,

Plaintiff,

- against -

UPTON, COHEN & SLAMOWITZ; RPI
ENTERPRISES LLC; and JASON NATHANIEL,

Defendants.
-----X

Index No. 6:04-CV-1297

**STIPULATION ~~VACATING~~
~~JUDGMENT AND~~
DISCONTINUING ACTION**

IT IS HEREBY STIPULATED AND AGREED, BY AND BETWEEN THE
PARTIES HERETO, THAT THE ABOVE ENTITLED ACTION BE, AND THE SAME HEREBY
IS DISCONTINUED WITHOUT COSTS TO EITHER PARTY AS AGAINST THE OTHER.
THIS STIPULATION MAY BE FILED WITHOUT FURTHER NOTICE WITH THE CLERK OF
THE COURT. A FACSIMILE SIGNATURE SHALL BE DEEMED AN ORIGINAL FOR
PURPOSES OF FILING THIS STIPULATION WITH THE COURT.

DATED: September 19, 2005

Gayle Sunderlin
GAYLE SUNDERLIN
DEFENDANT

Mary D. Milone
COHEN & SLAMOWITZ, LLP
BY: MARY D. MILONE, ESQ.
ATTORNEYS FOR PLAINTIFF

PSTPVAC1



SO ORDERED

David E. Peebles
David E. Peebles
U.S. Magistrate Judge

Dated: 10/6/05
Syracuse, New York